

EXHIBIT 24

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-v-

HON. ROBERT NEUNER

No. 05-74891

ENVISIONTEC INC., ENVISIONTEC
GMBH, AND SIBCO, INC.,

Defendants.

MARKMAN HEARING

Thursday, April 5, 2007

APPEARANCES:

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
Sidney David (SD 8700)
Jonathan David (JD7559)
600 South Avenue West
Westfield NJ 07090-1497
Tel: (908) 654-5000
Fax: (908) 654-7866
Attorneys for Plaintiff

RADER, FISHMAN & GRAUER, PLLC
R. Terrance Rader (P28747)
Steven R. Hansen (P69144)
39533 Woodward Ave., Ste. 140
Bloomfield Hills MI 48304
Tel: (248) 594-0600
Fax: (248) 594-0610
Attorneys for Defendants

BODMAN LLP
Susan M. Kornfield (P41071)
110 Miller, Ste. 300
Ann Arbor MI 48104
Tel: (734) 761-3780
Fax: (734) 930-2494
Attorneys for Plaintiff

Reported By:

Nefertiti Jodi Matthews, CSR - 5915
Theodore Levin United States Courthouse
231 West Lafayette Boulevard, Room 867
Detroit, Michigan 48226
(313) 964-5989

1 the elevator.

2 THE COURT: All right. So, when you get to the
3 last limitation when the claim says, "Forming and
4 adhering successive cross-sectional layers of structure
5 to any previously formed cross-sectional layers of
6 structure by exposing said medium to said prescribed
7 radiation in response to said data", your point is that
8 said data means all of the objects?

9 MR. DAVID: Absolutely.

10 Because if I wanted to claim an intermediate step,
11 I could say, "slicing the data represents the whole
12 object", and then sending that layer that represents
13 the cross-sectional layer to the next step in the
14 computer, which is in Claim 13 of the '307 Patent,
15 which has an additional step of converting, slicing the
16 data.

17 So, I'm suggesting that as a patent attorney, this
18 is broadly responsive to said data through an unclaimed
19 intermediate step.

20 And I think it's an elementary principle of patent
21 drafting, that when you're claiming broadly, the prior
22 art, you don't have to claim every intervening step.

23 And that's my point. We start off with the data
24 that represents the object. We do slice it to
25 sections, and then we do, in fact, send it to the next

Markman Hearing
Thursday, April 5, 2007

92

1 computer.

2 But this claim is broader than Claim 13, that I
3 showed you before in the '307 Patent, which was
4 claiming that the intermediate step of converting the
5 data representing the object into data representing
6 cross-sections of the object.

7 THE COURT: So, your position is the third
8 limitation does not describe that intermediate step?

9 MR. DAVID: Absolutely not. It just says, "It is
10 responsive to broad information of a first step,
11 albeit, not claimed intermediate step", that's what I'm
12 saying.

13 THE COURT: Mr. Rader.

14 RESPONSE BY MR. RADER

15 MR. RADER: I hate to dwell on this further
16 but the drawing --

17 THE COURT: Well, give it to our reporter and
18 she'll mark it as Court Exhibit No. 1.

19 MR. RADER: Instead of referring to Court Exhibit
20 1, which I don't think is the appropriate way to
21 consider this issue --

22 THE COURT: Oh, no, it's a lesser.

23 MR. DAVID: Yes.

24 MR. RADER: I think if we go back to the slide
25 that Mr. David referred you to, slide 46 from the